

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| Applicants: | Bryan <i>et al.</i> | | |
| Serial No.: | 10/594,064 | Case No.: | 21571P |
| Filed: | September 25, 2006 | | |
| For: | OPTIMIZED EXPRESSION OF HPV 52 L1 IN YEAST | | |
| Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 | | | |
| Art Unit: 1656 | | | |
| Examiner: Gebreyesus, K.H. | | | |

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

This communication is in response to the outstanding Restriction Requirement mailed April 7, 2009, in the above-identified application, having a one-month period for response set to expire May 7, 2009. Reconsideration and allowance of the above-identified patent application are respectfully requested. Please credit any overpayment or charge any fee deficiency to Deposit Account No. 13-2755.

The Office Action states that the application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1:

- Group I, claims 1-7, drawn to nucleic acid molecule comprising a sequence of nucleotides that encodes an HPV52 L1 protein as set forth in SEQ ID NO:2, the nucleic acid sequence being codon-optimized for high-level expression in a yeast cell, vector and host cell comprising the nucleic acid.
- Group II, claims 8-15, 17-23, 25 and 27 drawn to virus-like particles (VLPs) comprised of recombinant L1 protein of HPV52, wherein the recombinant L1 protein is produced in yeast.
- Group III, claims 8-15, 17-23, 25 and 27 drawn to virus-like particles (VLPs) comprised of recombinant L1 + L2 proteins of HPV52, wherein the recombinant L1 + L2 proteins are produced in yeast.

The Office Action further states that Applicant is required to elect a single one of these inventions to which the claims must be restricted.

By way of this response, Applicants respectfully elect Group I, claims 1-7, for prosecution on the merits, without traverse.

Applicants assert all claims are in condition for allowance and a favorable action on the merits is earnestly solicited.

If the Examiner believes that a telephone conference would be of value, he is requested to call the undersigned attorney at the number listed below.

Respectfully submitted,

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